

the aircraft that was used to show compliance with—

(1) Paragraph (b)(1) of this section; and

(2) For rotorcraft, the rotor drive endurance tests prescribed in § 27.923 or § 29.923 of this chapter, as applicable.

(d) Each applicant must show for each flight test (except in a glider or a manned free balloon) that adequate provision is made for the flight test crew for emergency egress and the use of parachutes.

(e) Except in gliders and manned free balloons, an applicant must discontinue flight tests under this section until he shows that corrective action has been taken, whenever—

(1) The applicant's test pilot is unable or unwilling to make any of the required flight tests; or

(2) Items of noncompliance with requirements are found that may make additional test data meaningless or that would make further testing unduly hazardous.

(f) The flight tests prescribed in paragraph (b)(2) of this section must include—

(1) For aircraft incorporating turbine engines of a type not previously used in a type certificated aircraft, at least 300 hours of operation with a full complement of engines that conform to a type certificate; and

(2) For all other aircraft, at least 150 hours of operation.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-40, 39 FR 35459, Oct. 1, 1974; Amdt. 21-51, 45 FR 60170, Sept. 11, 1980; Amdt. 21-70, 57 FR 41368, Sept. 9, 1992; Amdt. 21-95, 76 FR 64233, Oct. 18, 2011; Doc. No. FAA-2015-1621, Amdt. 21-100, 81 FR 96689, Dec. 30, 2016]

§ 21.37 Flight test pilot.

Each applicant for a normal, utility, acrobatic, commuter, or transport category aircraft type certificate must provide a person holding an appropriate pilot certificate to make the flight tests required by this part.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-59, 52 FR 1835, Jan. 15, 1987]

§ 21.39 Flight test instrument calibration and correction report.

(a) Each applicant for a normal, utility, acrobatic, commuter, or transport category aircraft type certificate must submit a report to the FAA showing the computations and tests required in connection with the calibration of instruments used for test purposes and in the correction of test results to standard atmospheric conditions.

(b) Each applicant must allow the FAA to conduct any flight tests that he finds necessary to check the accuracy of the report submitted under paragraph (a) of this section.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-59, 52 FR 1835, Jan. 15, 1987]

§ 21.41 Type certificate.

Each type certificate is considered to include the type design, the operating limitations, the certificate data sheet, the applicable regulations of this subchapter with which the FAA records compliance, and any other conditions or limitations prescribed for the product in this subchapter.

§ 21.43 Location of manufacturing facilities.

Except as provided in § 21.29, the FAA does not issue a type certificate if the manufacturing facilities for the product are located outside of the United States, unless the FAA finds that the location of the manufacturer's facilities places no undue burden on the FAA in administering applicable airworthiness requirements.

§ 21.45 Privileges.

The holder or licensee of a type certificate for a product may—

(a) In the case of aircraft, upon compliance with §§ 21.173 through 21.189, obtain airworthiness certificates;

(b) In the case of aircraft engines or propellers, obtain approval for installation on certificated aircraft;

(c) In the case of any product, upon compliance with subpart G of this part, obtain a production certificate for the type certificated product;

§ 21.47

(d) Obtain approval of replacement parts for that product.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-92, 74 FR 53386, Oct. 16, 2009]

§ 21.47 Transferability.

(a) A holder of a type certificate may transfer it or make it available to other persons by licensing agreements.

(b) For a type certificate transfer in which the State of Design will remain the same, each transferor must, before such a transfer, notify the FAA in writing. This notification must include the applicable type certificate number, the name and address of the transferee, and the anticipated date of the transfer.

(c) For a type certificate transfer in which the State of Design is changing, a type certificate may only be transferred to or from a person subject to the authority of another State of Design if the United States has an agreement with that State of Design for the acceptance of the affected product for export and import. Each transferor must notify the FAA before such a transfer in a form and manner acceptable to the FAA. This notification must include the applicable type certificate number; the name, address, and country of residence of the transferee; and the anticipated date of the transfer.

(d) Before executing or terminating a licensing agreement that makes a type certificate available to another person, the type certificate holder must notify the FAA in writing. This notification must include the type certificate number addressed by the licensing agreement, the name and address of the licensee, the extent of authority granted the licensee, and the anticipated date of the agreement.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53386, Oct. 16, 2009; Doc. No. FAA-2018-0119, Amdt. 21-101, 83 FR 9169, Mar. 5, 2018]

§ 21.49 Availability.

The holder of a type certificate must make the certificate available for examination upon the request of the FAA

14 CFR Ch. I (1-1-21 Edition)

or the National Transportation Safety Board.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Doc. No. 8084, 32 FR 5769, Apr. 11, 1967]

§ 21.50 Instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitations sections.

(a) The holder of a type certificate for a rotorcraft for which a Rotorcraft Maintenance Manual containing an "Airworthiness Limitations" section has been issued under § 27.1529 (a)(2) or § 29.1529 (a)(2) of this chapter, and who obtains approval of changes to any replacement time, inspection interval, or related procedure in that section of the manual, must make those changes available upon request to any operator of the same type of rotorcraft.

(b) The holder of a design approval, including either a type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, must furnish at least one set of complete Instructions for Continued Airworthiness to the owner of each type aircraft, aircraft engine, or propeller upon its delivery, or upon issuance of the first standard airworthiness certificate for the affected aircraft, whichever occurs later. The Instructions for Continued Airworthiness must be prepared in accordance with §§ 23.1529, 25.1529, 25.1729, 27.1529, 29.1529, 31.82, 33.4, 35.4, or part 26 of this subchapter, or as specified in the applicable airworthiness criteria for special classes of aircraft defined in § 21.17(b), as applicable. If the holder of a design approval chooses to designate parts as commercial, it must include in the Instructions for Continued Airworthiness a list of commercial parts submitted in accordance with the provisions of paragraph (c) of this section. Thereafter, the holder of a design approval must make those instructions available to any other person required by this chapter to comply with any of the terms of those instructions. In addition, changes to the Instructions for Continued Airworthiness shall be made available to any person required by this chapter to comply with any of those instructions.